

**KAZEROUNI LAW GROUP, APC**

Abbas Kazerounian, Esq. (249203)

ak@kazlg.com

Jason A. Ibey, Esq. (SBN: 284607)

jason@kazlg.com

Nicholas R. Barthel, Esq. (SBN: 319105)

nicholas@kazlg.com

245 Fischer Avenue, Unit D1

Costa Mesa, CA 92626

Telephone: (800) 400-6808

Facsimile: (800) 520-5523

*Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**AMANDA HILL; and GAYLE  
HYDE, Individually and On  
Behalf of All Others Similarly  
Situated,**

**Plaintiffs,**

**v.**

**QUICKEN LOANS INC.,  
Defendant.**

**Case No.: 5:19-cv-00163-FMO-SP**

**DECLARATION OF JASON A.  
IBEY IN SUPPORT OF  
PLAINTIFF GAYLE HYDE'S  
OPPOSITION TO  
DEFENDANT'S MOTION TO  
DISMISS FIRST AMENDED  
COMPLAINT RE PERSONAL  
JURISDICTION**

**DECLARATION OF JASON A. IBEY**

**I, JASON A. IBEY, declare:**

1. I am an attorney admitted to the State Bar of California on November 26, 2012, and have been a member in good standing since that time. I was admitted to the State Bar of Utah on May 15, 2018, and have been a member in good standing since that time. I am also admitted in every federal district in California and have handled federal litigation in the federal districts of California.
2. I have personal knowledge of the following facts and, if called upon as a witness, could and would competently testify thereto.
3. I am a senior associate at Kazerouni Law Group, APC, and one of attorneys for plaintiff Gayle Hyde (“Ms. Hyde”) in this action against Quicken Loans, Inc. (“Defendant” or “Quicken Loans”).
4. I submit this declaration only in support of Ms. Hyde’s response to Defendants’ motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(2).
5. As of May 8, 2019, the Court has not set a Rule 26(f) scheduling conference.
6. On May 1, 2019, counsel for the parties held the Fed. R. Civ. P. 26(f) conference of counsel, following a request by counsel for Plaintiffs on April 18, 2019 to hold such conference.
7. On May 1, 2019, Ms. Hyde, through counsel, served a first set of written discovery requests on Quicken Loans, Inc. via U.S. Mail, which including the following discovery requests:

**Interrogatories**

- 1) State when Quicken Loans, Inc. obtained telephone number XXX-XXX-8955.<sup>1</sup>

---

<sup>1</sup> For purposes of this declaration, the area code and prefix of the telephone number for Ms. Hyde and Ms. Hill have been redacted.

- 2) State from whom Quicken Loans, Inc. obtained telephone number XXX-XXX-8955.
- 3) Describe in detail the means by which Quicken Loans, Inc. obtained telephone number XXX-XXX-8955.
- 4) Identify any lead obtained by Quicken Loans, Inc. concerning Plaintiff Gayle Hyde.
- 5) Describe in detail the involvement of Intuit, Inc., if any, in the sending or transmission of any text messages to telephone number XXX-XXX-8955 between January 28, 2015 and January 28, 2019.
- 6) State whether Quicken Loans, Inc. or its agent/s sent, from within the State of California, one or more text messages to Plaintiff Gayle Hyde between January 28, 2015 and January 28, 2019.
- 7) Identify the specific location/s (e.g., the address of a call center) from which Quicken Loans, Inc. or its agent/s contacted telephone number XXX-XXX-8955 between January 28, 2015 and January 28, 2019.

**Requests for Production of Documents and Tangible Things**

- 1) Produce all non-privileged DOCUMENTS and electronically stored information concerning or related to telephone number XXX-XXX-8955, including but not limited to how, when and from whom Quicken Loans, Inc. obtained said telephone number.
- 2) Produce all non-privileged DOCUMENTS and electronically stored information reflecting, and including, any lead obtained by or for Quicken Loans, Inc. concerning Plaintiff Gayle Hyde.
- 3) Produce all contracts and agreements with LMB Mortgage Services, Inc. concerning lead generation that were in effect between January 28, 2015 and January 28, 2019.

- 1           4) Produce all contracts and agreements with LowerMyBills.com
- 2           concerning lead generation that were in effect between January 28,
- 3           2015 and January 28, 2019.
- 4           5) Produce all contracts and agreements with CPL Assets, LLC
- 5           concerning lead generation that were in effect between January 28,
- 6           2015 and January 28, 2019.
- 7           6) Produce all DOCUMENTS and electronically stored information
- 8           concerning the involvement of Intuit, Inc. in the sending or
- 9           transmission of any text messages to telephone number XXX-XXX-
- 10          8955.
- 11          7) If Quicken Loans, Inc. contends that it had express consent to contact
- 12          telephone number XXX-XXX-8955, produce all non-privileged
- 13          documents and electronically stored information supporting that
- 14          contention.
- 15          8. On May 8, 2019, before noon PST, counsel for Plaintiffs caused to be
- 16          served a document subpoena on non-party LMB Mortgage Services, Inc.,
- 17          requesting production of the following four categories of documents by
- 18          May 30, 2019:
  - 19               1. Produce all non-privileged DOCUMENTS and electronically
  - 20               stored information reflecting any information (including but not
  - 21               limited to leads) provided by YOU to Quicken Loans, Inc.
  - 22               concerning Gayle Hyde of Minnesota.
  - 23               2. Produce all non-privileged DOCUMENTS and electronically
  - 24               stored information concerning or related to telephone number
  - 25               XXX-XXX-8955, including but not limited to how, when and from
  - 26               whom YOU obtained said telephone number.
  - 27               3. Produce all non-privileged DOCUMENTS and electronically
  - 28               stored information reflecting any information (including but not

limited to leads) provided by YOU to Quicken Loans, Inc. concerning Amanda Hill of California.

4. Produce all non-privileged DOCUMENTS and electronically stored information concerning or related to telephone number XXX-XXX-9785, including but not limited to how, when and from whom YOU obtained said telephone number.

9. Attached as **Exhibit A** is a true and correct copy of the redlined version of the proposed First Amended Complaint, showing how Ms. Hyde proposes to amend the Complaint to add allegations supporting personal jurisdiction over Defendant.

10. Attached as **Exhibit B** is a true and correct copy of a screenshot of the webpage located at <https://quickenloanscareers.com/family-of-companies/quicken-loans/> accessed by me on April 17, 2019, with highlighting added for emphasis.

11. Attached as **Exhibit C** is a true and correct copy of a screenshot of the webpage located at <https://quickenloanscareers.com/directions/san-diego/> and accessed by me on April 5, 2019, with highlighting added for emphasis.

12. Attached as **Exhibit D** is a true and correct copy of a screenshot of the webpage located at <https://www.quickenloans.com/about/legal/disclosures-licenses> and accessed by me on April 17, 2019, with highlighting added for emphasis.

13. Attached as **Exhibit E** is a true and correct copy of a screenshot of the webpage located at <https://www.quickenloans.com/blog/3-things-to-know-about-buying-a-house-in-california> and accessed by me on April 17, 2019, with highlighting added for emphasis.

14. Attached as **Exhibit F** is a true and correct copy of a document obtained from the website for the Secretary of State of California (see generally,

businesssearch.sos.ca.gov/) and accessed by me on May 1, 2019, with highlighting added for emphasis.

15. Attached as **Exhibit G** is a true and correct copy of a screenshot of the webpage located at <https://usshortcodedirectory.com/directory/short-code-26293/> and accessed by me on May 1, 2019, with highlighting added for emphasis.

I declare under penalty of perjury under the laws of California and the United States of America that the foregoing is true and correct, and that this declaration was executed in St. George, Utah, on May 9, 2019.

By: /s/ Jason A. Ibey  
Jason A. Ibey